

SENATE MOTION

MADAM PRESIDENT:

I move that Senate Bill 128 be amended to read as follows:

- 1 Page 10, between lines 30 and 31, begin a new paragraph and insert:
- 2 **"(e) This subsection applies to a provisional ballot cast by a voter**
- 3 **after the voter was challenged solely because the voter was unable**
- 4 **or declined to provide proof of identification and not for any other**
- 5 **reason. If the voter later complies with the requirements of this title**
- 6 **for proof of identification, the provisional ballot cast by the voter**
- 7 **shall be counted in accordance with sections 2 and 2.5 of this**
- 8 **chapter.**
- 9 **(f) This subsection applies to a provisional ballot cast by a voter**
- 10 **after the voter was challenged for any reason except the voter's**
- 11 **inability or declination to provide proof of identification. If the only**
- 12 **evidence before the county election board on the question of**
- 13 **counting of the provisional ballot cast by the voter is:**
- 14 **(1) the affidavit of the voter who cast the provisional ballot;**
- 15 **and**

1 **(2) the affidavit of a challenger challenging the voter who cast**
2 **the provisional ballot;**
3 **the provisional ballot shall be counted.".**

(Reference is to SB 128 as printed January 25, 2006.)

Senator LAWSON C